

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ebner et al.

Application Serial No.: 09/320,713

Filed: May 27, 1999

For: INTERLEUKINS-21 AND 2

Group Art Unit: 1647

aminer: Spector, L.

Attorney Docket No.: PF470

PROVISIONAL ELECTION UNDER 37 C.F.R. § 1.143 WITH TRAVERSE AND AMENDMENT UNDER 37 C.F.R. § 1.111

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Office Action dated August 8, 2000, Applicants provisionally elect, with traverse, Group II represented by newly added claims 50 to 155, for further prosecution. Applicants reserve the right to file one or more divisional applications directed to the non-elected inventions should the restriction requirement be made final. Applicants submit concurrently herewith: (a) a Petition for Extension of Time for five (5) months up to and including February 8, 2001; (b) an Information Disclosure Statement with Form PTO/SB/08A and copies of references AA-BX; and (c) a Fee Transmittal Sheet. Please amend the application as follows.

02/13/2001 LPENDER 00000002 083425 09320713

01 FC:102 02 FC:103 80.00 CH 1206.00 CH

Please cancel claims 2-24, 26, 28, 30-36, 41-43, 45 and 47-49 without prejudice.

Please add the following new claims:

--50. (New) An isolated nucleic acid molecule comprising a polynucleotide selected from the group consisting of: